

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES M. DUNYAN, :
Plaintiff, :
: : No. 1:16-CV-02103
v. :
: : (Judge Kane)
PENNSYLVANIA DEPARTMENT :
OF CORRECTIONS, et al., :
Defendants :
:

ORDER

AND NOW, this 16th day of August 2017, in accordance with the corresponding Memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's motions for leave to proceed in forma pauperis (Doc. Nos. 2, 18), are **DENIED AS MOOT**;
2. Defendants Correct Care Solutions, LLC, Andrew Dancha, Carol Hines, and Vernon Preston's motion to dismiss (Doc. No. 32), is **GRANTED** as follows:
 - a. The motion to dismiss is **GRANTED** as to Plaintiff's claims for compensatory damages against the Defendants in their official capacities under 42 U.S.C. § 1983;
 - b. The motion to dismiss is **GRANTED** as to Plaintiff's claims against Defendants Correct Care Solutions, LLC, Dr. Dancha, and Dr. Preston, and Carol Hines without prejudice to Plaintiff filing an amended complaint in accordance with the Court's Memorandum thirty days (30) from the date mediation proceedings are completed, should such proceedings prove unsuccessful;
3. Defendant Wexford Health Sources, Inc.'s unopposed motion to dismiss (Doc. No. 35), is **GRANTED**. Plaintiff's claims against Defendant Wexford Health Sources, Inc. are **DISMISSED WITH PREJUDICE** and the Clerk of Court is directed to terminate Wexford Health Sources, Inc. as a Defendant in this action;
4. This case is **REFERRED** to the Court's Prison Litigation Settlement Committee for assignment of a neutral third party to facilitate settlement discussions;

5. Upon notification of the assigned neutral third party, the court will issue an order of appointment directing him/her to promptly schedule a mediation or settlement conference in consultation with the parties; and
6. The above-captioned action is **STAYED** pending the outcome of mediation proceedings.

s/Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania